

PATENT 

Case Docket No. HEART.017C2

Date: November 9, 2004

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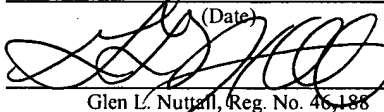
In re application of : Richard D. Charnitski  
App. No. : 10/644,591  
Filed : August 19, 2003  
For : INERTIAL RESISTANCE  
EXERCISE APPARATUS AND  
METHOD  
Examiner : Mathew, Fenn C  
Art Unit : 3764

## CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 9, 2004

(Date)



Glen L. Nuttall, Reg. No. 46,188

## COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Preliminary Amendment in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	19	—	20	= 0 ×	\$9	= \$0
Independent Claims	2	—	3	= 0 ×	\$44	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$150	= \$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0

(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

(X) Return prepaid postcard.

**PATENT**

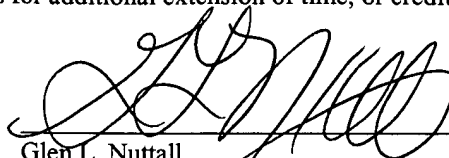
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(X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Richard D. Charnitski	)	Group Art Unit 3764
			)	
Appl. No.	:	10/644,591	)	
			)	
Filed	:	August 19, 2003	)	
			)	
For	:	INERTIAL RESISTANCE EXERCISE	)	
		APPARATUS AND METHOD	)	
			)	
Examiner	:	Mathew, Fenn C	)	
			)	

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**REPLACEMENT PRELIMINARY AMENDMENT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-compliant Amendment mailed by the Patent Office on October 12, 2004, Applicant submits this REPLACEMENT PRELIMINARY AMENDMENT. Please do not enter the PRELIMINARY AMENDMENT filed by Applicant on April 12, 2004. Instead, prior to examining the above-captioned application, please enter the following amendments.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.